

REMARKS

In the Office Action, claims 1-45 were pending. Upon entry of the present paper, these claims remain pending, while new claim 46 is added. In the Office Action,

claims 1-3, 5, 7, 26-27, 29-31, 33-35, 38 and 45 stand rejected under 35

U.S.C. 102(b) as being anticipated by Takemura (JP 11088672);

claim 4 stands rejected under 35 U.S.C. 103(a) as being unpatentable over an alleged combination of Takemura and Abecassis (U.S. Patent No. 6,504,990);

claims 6, 8-11, 20-25 and 42-44 stand rejected under 35 U.S.C. 103(a) as being unpatentable over an alleged combination of Takemura and Windle (U.S. Patent No. 6,606,117);

claims 12-16 and 18-19 stand rejected under 35 U.S.C. 103(a) as being unpatentable over an alleged three-way combination of Takemura, Windle and Hollenberg (U.S. Patent No. 6,091,956);

claim 17 stands rejected under 35 U.S.C. 103(a) as being unpatentable over an alleged four-way combination of Takemura, Windle, Hollenberg and Delorme et al. (U.S. Patent No. 6,321,158);

claim 28 stands rejected under 35 U.S.C. 103(a) as being unpatentable over an alleged combination of Takemura and Safai et al. (U.S. Patent No. 6,167,469);

claim 32 stands rejected under 35 U.S.C. 103(a) as being unpatentable over an alleged combination of Takemura and Rhoades (U.S. Patent No. 6,026,193);

claims 36-37 stand rejected under 35 U.S.C. 103(a) as being unpatentable over an alleged combination of Takemura and Bunte et al. (U.S. Patent No. 5,821,523); and

claims 39-41 stand rejected under 35 U.S.C. 103(a) as being unpatentable over an alleged combination of Takemura and Hollenberg.

These rejections are respectfully traversed below, especially insofar as they may be applied to the claims as amended herein.

Independent Claim 1, and Dependent Claims 2-39

Amended independent claim 1 recites, among other features, the following steps (amendments highlighted):

| receiving image data associated with the image and additional associated information at a user equipment from a data communication system;

| generating a visual effect to be presented in association with a version of the image, said visual effect being generated based on said additional information associated with the image;

| displaying a version of said image with said visual effect by display means of the user equipment; and

| displaying the image without said visual effect by the display means.

In rejecting this claim, the Office Action relies on Takemura. Takemura relates generally to a digital camera system, where a user's camera 1 takes a picture, the user adds finishing information (e.g., color, gradation, brightness, etc.) to the picture, and the resulting image and finishing information are provided to a remote laboratory 2 to be printed out. Amended claim 1 now recites a step of receiving image data associated with

the image and additional associated information at a user equipment from a data communication system. As noted above, Takemura sends its “image data” and “finish information” to the laboratory 2. The laboratory 2, however, does not perform the two recited steps of displaying. Instead, the laboratory 2 simply applies the finish information to the image data, and prints the resulting photograph on printer 303 (or displays it on a CRT). So, for example, the laboratory 2 does not perform the additional step of “displaying the image without said visual effect by the display means.”

Applicant also notes that the Office Action refers to functions performed by the camera display 102 AND the laboratory CRT as displaying functions, referring both to the feature shown in Figure 5 and the laboratory 2 of Figure 6. The claim refers to a display means of the user equipment, and Applicant submits that the Takemura laboratory CRT is separate and apart from the camera display means 102, and that these two distinct and different components do not form the claimed display means.

For at least these reasons, Applicant submits that amended claim 1 distinguishes over Takemura. None of the other applied references can be properly combined to overcome this deficiency, and Applicant submits that amended claim 1 is in condition for allowance. Claims 2-39 depend from claim 1, and are allowable for at least the same reasons as claim 1, and further in view of the various features recited therein. For example, claim 2 recites “wherein said version of the image associated with the visual effect is presented before displaying the image.” The Office Action states that this claim is anticipated by Takemura, because Takemura first displays an image on the camera 1’s display 102, and then displays the image on the laboratory’s CRT. The claimed steps of displaying are recited as being by the display means, and the two components cited by the

Office Action (one component on the camera, and a completely separate and different component at the laboratory) are not the claimed display means.

As another example, claim 7 recites “wherein the visual effect visualises the age of the image.” To show this, the Office Action refers to the “sun setting” and “snow setting” of Takemura. Those settings have nothing to do with the age of the image. Instead, those settings appear to refer to the lighting conditions in which the image is taken, so that color and brightness values may be adjusted accordingly.

As another example, claim 17 recites associations involving the top, bottom, left and right portions of the display display means, and neither Takemura nor Delorme et al. (the reference cited for this claim) teaches or suggests such associations using these portions of the display. Indeed, Delorme et al. merely describes the display of a map.

As yet another example, claim 23 recites “wherein the visual effect visualises an audio effect associated with the image.” The Office Action relies on Windle to show this feature, but Windle merely states that music may be included in its photo album. Windle offers no detail on this music, and fails to teach or suggest that music “visualises an audio effect associated with the image,” as recited.

Independent Claim 41

Amended independent claim 41 recites a method in a mobile station for displaying an image on a display means thereof, with, among other features, the following steps:

- | displaying a version of the image with said visual effect by the display means; and
- | displaying the image without said visual effect by the display means.

The Office Action relies on Takemura, and adds the wireless features shown in Hollenberg. As noted above with respect to claim 1, the Takemura system sends its image data and its finish information to the laboratory 2, and there is no teaching or suggestion that Takemura's laboratory performs the two recited steps of displaying. The same distinction applies with claim 41. Furthermore, converting the Takemura laboratory 2 into a mobile device makes no sense, in view of the many pieces of equipment located there (e.g., printer 303).

Independent Claim 42, and Dependent Claims 43-44

Amended independent claim 42 recites a user equipment for displaying an image, with at least the following:

| receiver means for receiving image data associated with the
| image and additional associated information from a data
| communication system;

The Office Action relies on Takemura for this receiver means, and Windle for the processor means recited elsewhere in the claim. Takamura fails to teach or suggest such a receiver means for receiving the recited data. For example, laboratory 2 includes a data taking means 301, but that is not part of a user equipment as recited.

For at least these reasons, amended independent claim 42 distinguishes over the applied references, and none of the other references overcomes this deficiency. Claims 43 and 44 depend from claim 42, and are allowable for at least the same reasons as claim 42, and further in view of the features recited therein.

Independent Claim 45

Amended independent claim 45 recites, among other features, the following:

a second user equipment comprising a receiver means for receiving the image data and said additional information, a processor means for processing said received image data, and a display means for displaying the image based on the received image data, said second user equipment being also adapted to display an altered version of the image, wherein the altered version comprises a visual effect generated based on said additional information associated with the image.

The Office Action relies on the Takemura laboratory 2 to show this second user equipment. However, Takemura fails to teach that its laboratory 2 includes a display means for displaying the image based on the received image data and that the equipment is also adapted to display an altered version of the image ... as recited. The laboratory 2 simply prints the final image after applying the finishing.

New Independent Claim 46

New independent claim 46 recites the following steps:

sending image data associated with the image and additional information associated with the content of the image from said first party to user equipment of second party via a data communication system;

generating on the basis of said additional information a visual effect to be presented in association with a version of the image, said visual effect visualizing said information associated with the context of the image;

displaying said visual effect by display means of the user equipment; and

displaying the image by the display means.

Applicant submits that the applied references, alone or in combination, do not teach or suggest this recited method. For example, the primary reference, Takemura, does not perform the two steps of displaying at the laboratory 2 CRT (the alleged “display means”).

Conclusion

For at least the reasons set forth above, Applicants respectfully submit that pending claims 1-46 distinguish over the art of record, and are in condition for allowance. However, should the Examiner feel that further discussion and/or amendment would be helpful to place the application in condition for allowance, the Examiner is invited to telephone Applicants' undersigned representative at the number appearing below.

Respectfully submitted,

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